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ATTN: BOX ISSUE FEE

Customer Number 22,852

PATENT

OFFICE OF PETITIONS

Attorney Docket No. 3063.0396-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
John M. Eby et al. ) Notice of Allowance Dated:  
Application No.: 09/287,631 ) November 14, 2000  
Filed: April 7, 1999 ) Batch No.: Z99  
For: METHODS TO MAKE A SURFACE )  
COVERING HAVING A NATURAL )  
APPEARANCE ) Group Art Unit: 1732  
Examiner: A. Kuhns

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REQUEST FOR CONTINUED EXAMINATION  
UNDER 37 C.F.R. § 1.114**

This is a request that the above-identified application be processed according to the procedures set forth in 37 C.F.R. § 1.114. This request meets the criteria set forth in 37 C.F.R. § 1.114 since the application has an actual filing date of April 7, 1999, which is on or after June 8, 1995, and is accompanied by a submission of an Information Disclosure Statement, an Amendment and the filing fee of \$710.00 as set forth in § 1.17(e).

Applicants hereby request that the Information Disclosure Statement and Amendment filed concurrently herewith, be entered and considered by the Examiner.

Please grant any extensions of time required to enter this request and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

Louis M. Troilo  
Reg. No. 45,284

Date: February 7, 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
John M. Eby et al. ) Notice of Allowance Dated:  
Application No.: 09/287,631 ) November 14, 2000  
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For: METHODS TO MAKE A SURFACE ) Batch No.: Z99  
COVERING HAVING A NATURAL )  
APPEARANCE ) Group Art Unit: 1732  
Examiner: A. Kuhns

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REQUEST TO WITHDRAW APPLICATION FROM ISSUE**

Pursuant to 37 C.F.R. § 1.313, Applicants respectfully petition, via HAND DELIVERY, that this application be withdrawn from issuance to permit consideration of an Information Disclosure Statement and Amendment that will be filed in a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. The RCE, together with the Information Disclosure Statement and a Preliminary Amendment, are concurrently filed with this Request.

The \$130.00 petition fee under 37 C.F.R. § 1.17(i), as well as the \$710.00 Request for Continued Examination fee under 37 C.F.R. § 1.114 are enclosed. If any additional fees are necessary for the submission of this Request, please charge our Deposit Account No. 06-0916.

02/08/2001 LGIBBS

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Respectfully submitted,

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FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Date: February 7, 2001

By: 

Louis M. Troilo  
Reg. No. 45,284

WRITER'S DIRECT DIAL:

INTERNET ADDRESS:

February 1, 2001

Anthony A. Hartmann  
Finnegan, Henderson, Farabow, Garrett & Dunner LLP  
1300 I Street, N.W.  
Washington, DC 20005-3315

RE: Mannington Mills, Inc.'s U.S. Patent No. 6,114,008  
Your Ref: 03063-0643-00000

Dear Mr. Hartmann:

This is in response to your letter of January 29, 2001 concerning the above identified matter.

We decline your request for permission to provide to the U.S. Patent and Trademark Office the documents we provided to you under cover of our letter dated January 9, 2001.

Very truly yours,

cc: Michael R. McGurk, Esq.

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CA1 - 266033.1

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January 29, 2001

**VIA FEDEX**

Mannington Mills, Inc.'s U.S. Patent No. 6,114,008  
Our Reference: 03063.0643-00000

Dear :

We have examined the physical sample and documentation provided to us with your letter dated January 9, 2001.

You have marked all of the documents as "confidential." Because we are obligated to provide these documents to the United States Patent & Trademark Office for consideration in related applications, we request your written permission for this limited purpose.

We would appreciate your response by close of business on Monday, February 5, 2001.

Sincerely,

  
Anthony A. Hartmann

AAH/jab  
cc: Michael R. McGurk, Esq.